



The State of New Hampshire  
**Department of Environmental Services**



**Michael P. Nolin**  
Commissioner

January 17, 2005

**LETTER OF DEFICIENCY #WSEB 05-007**  
**CERTIFIED MAIL 7000 0600 0023 9932 7655**

Kathleen Baker  
7 Butler Road  
Spofford, NH 03462

Subject: Chesterfield - Public Water System: Tower Light Inn (EPA #0448060)

Dear Ms. Baker:

The records of the Department of Environmental Services (DES) show that the Tower Light Inn water system is classified as a non-community public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Admin. Rule Env-Ws 325.

DES records show that the subject water system failed to submit a bacteria sample and as a result a Monitoring/Report (M/R) violation was issued for the month of **August 2004** (copy of Notice of Violation (NOV) dated September 30, 2004 enclosed).

Pursuant to Env-Ws 351, owners of public water systems are required to issue public notification when a system has failed to monitor for bacteriological water quality. As a result of the failure to perform public notification for the August 2004 M/R violation, a NOV, dated December 23, 2004, was sent to you (copy enclosed). The NOV requested that you issue public notification within 30 days of learning of the M/R violation and submit a copy to DES immediately. To date, no proof of public notice has been received by DES, thus placing the water system in violation of Env-Ws 351.01.

In view of the public notice violation, DES believes the deficiencies can be corrected, and future violations prevented, by taking the following actions:

1. **By January 31, 2005**, carry out the public notice requirements for the August 2004 sampling violation; and
2. **By February 14, 2005**, provide proof of public notice to DES.

**If you have already done the public notice, then please forward it Barbara Davis at the address listed on the form immediately.**

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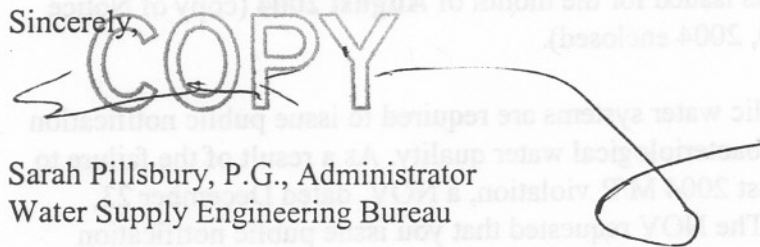
A non-community water system normally samples for bacteria quarterly unless its sampling schedule has been reduced to semi-annual sampling in recognition of the system maintaining compliance with drinking water regulations. Pursuant to Env-Ws 325.05(f), however, a non-community water system on a reduced monitoring schedule is returned to a quarterly sampling schedule if it fails to submit two or more routine bacteria samples in any 18-month period. Having failed to submit its May 2004 and November 2004 routine bacteria samples, the water system must be placed on a quarterly sampling schedule. Therefore, effectively immediately the water system's bacterial sampling schedule is now:

**February, May, August and November**

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please contact Anne Bailey by phone at (603) 271-0672 or by e-mail at [abailey@des.state.nh.us](mailto:abailey@des.state.nh.us) if you have any questions regarding this letter.

Sincerely,

  
Sarah Pillsbury, P.G., Administrator  
Water Supply Engineering Bureau

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Enclosures: M/R Notice of Violation dated September 30, 2004  
P/N Notice of Violation dated December 23, 2004  
Master Sampling Schedule  
Bacteria M/R Public Notice Form

cc: Gretchen R. Hamel, DES Legal Unit Administrator  
Town of Chesterfield Health Officer  
EPA, Region 1